

SOLID WASTE LAND DISPOSAL FACI PERMIT APPLICATION

MAY 24 2017 State Form 50404 (R2 / 8-11) INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Office of Land Quality Solid Waste Permits Section - Mail Code 65-45 100 N. Senate Ave. Indianapolis, IN 46204-2251

INSTRUCTIONS

DEPARTMENT OF Indianapolis, IN 46204-2251

ENVIRONMENTAL MANAGEMENT

This application form shall be used to apply for all sold was displayed displayed in the box above.

Indianapolis, IN 46204-2251

When completed, please return this form and support documents to the address given in the box above.

This application is for a (check appropriate box):					
	new (construction/operation permi	t)	☐ majo	r permit modification (acreage	expansion)
	minor permit modification		□ majo	r permit modification (height in	ncrease)
	SEC	TION A. APPLICAN	T(S) INFORI	MATION	
Name Michael Roberts					
Mailing Address: 1650 Des Peres Ro	370	Apt. # 303	P.O. Box	Town/City St. Louis	
State MO	ZIP Code 63131	Telephone 314 835 2	Number <i>(with a</i> 878	area code)	T T
	30.0.	014 000 2	070		
	SECTION	N.B. FACILITY OW	NED/OVINE	ODMATON	
Nome	SECTION	ON B. FACILITY OW	NEK(5) INF	ORMATON	2.3.3.6.5.6.6.6.6.6.6.6.6.6.6.6.6.6.6.6.6
Name Tanners Creek Dev	velopment LLC				
Mailing Address:	Street	Apt. #	P.O. Box	Town/City	
1650 Des Peres State	ZIP Code	303	Number (with a	St. Louis	
MO	63131	314 835 1		area code)	
	SEC	TION C. OPERATOR	R(S) INFORI	MATION	
Name		A WEST OF THE PARTY OF THE PART			
Tanners Creek Dev		A t. 44	D O D	T(0)	
Mailing Address: 1650 Des Peres Ro	Street	Apt. # 303	P.O. Box	Town/City St. Louis	
State	ZIP Code		Number (with a	area code)	
MO 63131 314 835 1515 SECTION D. PROPERTY OWNER(S) INFORMATION					
	SECTION	N D. PROPERTY OW	NER(S) INF	-ORMATION	
Name Tanners Creek Dev	velopment LLC				
Mailing Address: 1650 Des Peres Ro	Street	Apt. # 303	P.O. Box	Town/City	
State	ZIP Code		Number (with a	St. Louis area code)	
MO	63131	314 835 1	515	· ·	
Please note that in accordance with 329 IAC 10-13-4(b) the owner, operator & permittee of a solid waste facility, and the owner or owners of the land upon which the facility is located, shall be liable for any environmental harm caused by the facility.					
SECTION E. FACILITY INFORMATION					
Name of Facility					
Tanners Creek Ty	pe I Landfill				
Mailing Address: 1650 Des Peres Ro	Street	Apt. # 303	P.O. Box	Town/City	ZIP Code
Location Address:	Street/County Road	County		St. Louis Town/City	63131
1046 Golden Dr	^	Dearbor	n	Lawrenceburg, IN	
Type of Operation (check appropriate box):				
827	municipal solid waste landfill			restricted waste site type	e l
	non-municipal solid waste landfill			restricted waste site type	e II
	construction/demolition site			restricted waste site type	e III
Planned Life of Facility in Years	Expected Daily Volume – Tons	Expected Daily Volume -	Cubic Yards	Types of Waste Received	Contact Person
5	1500			CCR	Adam Peetz

SECTION F. NAMES AND ADDRESSES OF AFFECTED GOVERNMENT OFFICIALS			
1. Members of the board of county commissioners where facili	ty is located		
Typed Name Kevin Lynch	Typed Name Art Little		
Typed Address 215-B W high St	Typed Address 215-B W high St		
Typed Address	Typed Address		
Typed City, State, ZIP Lawrenceburg, IN 47025	Typed City, State, ZIP Lawrenceburg, IN 47025		
Typed Name Shane McHenry	Typed Name		
Typed Address 215-B W high St	Typed Address		
Typed Address	Typed Address		
Typed City, State, ZIP Lawrenceburg, IN 47025	Typed City, State, ZIP		
Typed Name	Typed Name		
Typed Address	Typed Address		
Typed Address	Typed Address		
Typed City, State, ZIP	Typed City, State, ZIP		
2. Mayor(s) of any city(s) affected by the permit application			
Typed Name Kelly Mollaun	Typed Name		
Typed Address 230 Walnut Street	Typed Address		
Typed Address PO Box 4166	Typed Address		
Typed City, State, ZIP Lawrenceburg, IN 47025	Typed City, State, ZIP		
Typed Name	Typed Name		
Typed Address	Typed Address		
Typed Address	Typed Address		
Typed City, State, ZIP	Typed City, State, ZIP		

SECTION F. NAMES AND ADDRESS	SES OF AFFECTED GOVERNMENT OFFICIALS (continued)			
3. President(s) of town council(s) of any town(s) affected by the permit application				
Typed Name Paul Seymour Jr	Typed Name			
Typed Address City Administration Building	Typed Address			
Typed Address 230 Walnut St	Typed Address			
Typed City, State, ZIP Lawrenceburg, IN 47025	Typed City, State, ZIP			
Typed Name	Typed Name			
Typed Address	Typed Address			
Typed Address	Typed Address			
Typed City, State, ZIP	Typed City, State, ZIP			
Please use additional sheets as needed to include all local officials affected by this permit application.				
SECTION G. SIGNATURES AND CERTIFICATION STATEMENTS				
329 IAC 10-11-3(d) requires that the signatory for a permit application sign the following certification statement:				
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further certify that I am authorized to submit this information."				
Applicant's Name & Title Typed Michael Roberts	Applicant's Signature Date Signed (month, day, year)			

John Hale, Permit Manager
Indiana Department of Environmental Management
Office of Land Quality
Solid Waste Permits Section
IGCN 1101
100 North Senate Avenue
Indianapolis, IN 46204-2251

May 2, 2017

RECEIVED

MAY 24 2017

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF LAND QUALITY

RF:

Insignificant Modification Proposal

Tanners Creek Plant

Type I Restricted Waste Landfill

Dearborn County SW Program ID 15-12

Dear Mr. Hale,

I am submitting this letter in response to a letter you sent on April 27, 2017 regarding the desire to accept waste at the Tanner's Creek Type 1 Landfill from an offsite source. You listed 11 issues that need to be addressed as part of a minor modification request, our response to those 11 issues is below and attached you will find the required forms and supplementary documents.

- Good character disclosure statements for Tanners Creek Development, LLC and its responsible parties. Forms for submitting the good character information are enclosed.
 Forms are attached.
- 2. Demonstration and determination of need of the facility. A checklist is attached detailing the information you will need to provide for this submittal.

A memorandum written to address the concerns listed in the checklist has been attached.

- 3. Waste Profile detailing the following in order to establish it as a coal combustion waste listed in IAC 10-9-4(d):
 - a. The name of each waste steam.
 Gypsum byproduct of flue gas desulfurization.

Aberdeen, OH 45101

15401 Ohio River Scenic Byway

b. The Source of each waste, including the location of each generating facility.

The waste will be coming from two separate Dayton Power and Light Company power plants, located at:

Dayton Power & Light Company - J.M. Stuart Station 745 US-52

Dayton Power & Light Company - Killen Generating Station

Manchester, OH 45144

- c. A description of the process(es) generating each waste stream.
 - The gypsum waste is byproduct of flu gas desulfurization, where a lime slurry is sprayed into the exhaust of a coal fired power plant to chemically react with the SOx and NOx to remove it from the exhausted gases. The byproduct is calcium sulfite, which is then further oxidized to produce gypsum.
- 4. Whether or not the offsite waste is recently generated or excavated from waste stored for an extended period of time, particularly waste placed in a surface impoundment or lagoon. Please include clarification whether or not any stored waste was mixed with other waste that is not coal combustion fly ash, bottom ash, or flue gas desulfurization byproducts. If the waste contains materials that are not coal combustion fly ash, bottom ash, or flue gas desulfurization byproducts, you will need to conduct waste classification testing as outlined at 329 IAC 10-9-4. Waste will come from both recently generated sources and temporary stock piles at the specified sties. The waste material will be exclusively coal combustion byproduct, and will not contain any other wastes.
- 5. Description of the procedures you will use for waste acceptance and screening (329 IAC 10-9-4(a)).
 - Waste will only be brought into the site from the listed power plants on barges, the gypsum waste will be the only waste loaded into the barges and will be screened prior to loading. The specific and exclusive nature of the sources and transportation remove opportunity for an unapproved waste being accepted. There will be no public access or acceptance of public waste.
- 6. Discussion on how waste will be offloaded from the barges and then moved to the landfill. Include how you will manage the waste to prevent its loss into the area between the barge and the landfill.
 - Waste will be offloaded and transported to the active face of the landfill using enclosed conveyors. Once it is conveyed to the active face it will be moved and graded with dozers.
- 7. The tipping fees you will charge to accept the waste.

 The fee will be \$10/ton.
- Description of how you will determine the tonnage of waste received in order to calculate the landfills annual operating fees(IC 13-20-21-4) and solid waste management fees (IC 13-20-22).
 Tonnage will be measured when loading the barges.
- Discussion on how long and how much total waste/materials will be accepted for disposal at this landfill, and estimated schedule for closure of the landfill at the plant.
 We estimate accepting 725,000 tons of material over the course of 18 months. Material will be

brought in on barges. The landfill is projected to be closed by 2021.

- 10. Description of access control, particularly how you will comply with 329 IAC 10-28-1(b).
 Site will have access controlled by a gate, which will be locked when personnel are not on duty.
 No public use of facilities will be allowed.
- 11. Description of signs (329 IAC 10-28-3).

 Drawing attached

RECEIVED

MAY 24 2017

Memorandum to Address 329 IAC 10-11-7 Demonstration and Determination of Need DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF LAND QUALITY

This memorandum is being written as a means to address the requirements expressed in 329 IAC 10-11-7, "Demonstration and Determination of Need Requirement" as it relates to the requested minor modification to the Tanners Creek Type I Landfill Permit. This facility is seeking a permit modification to accept gypsum, a coal combustion residual, from two separate Dayton Power and Energy facilities. The request is being made to take waste exclusive to this waste type, and these specific power production facilities. Further, it will be demonstrated that the Tanners Creek Type I Landfill, and the Dayton Power and Energy power plants will both benefit from this exchange and no other entities will be negatively impacted.

- Description of the anticipated area that would be served by the facility as indicated by the following:
 - a. Solid waste management districts or portions of districts

 The waste is coming from outside Indiana, both facilities are located in Ohio, and as such neither are located in a solid waste management district. The Tanners Creek Type I Landfill is located in the Dearborn County waste management district, however it has never accepted waste from the public nor does it intend to, as such this district will also remain unimpacted. The already approved construction plans for the Tanners Creek facility will not be not be altered, capacity will not increase, the allowed waste type will not change, the only change that is being requested is the waste generator. Because the Tanners Creek Power Plant has been shut down and is being demolished, it will no longer be generating waste for disposal in this landfill.
 - b. County, multiple counties or portions thereof. Tanners Creek Landfill has not nor will it accept waste from the public, nor will any waste be generated from power production at the now closed Tanners Creek Power Plant and diverted from the Tanners Creek Type I Landfill to be disposed of at other facilities, as such no counties will be impacted.
 - c. County, multiple counties and a state (if area includes portions outside of Indiana). The locations the waste is generated at are listed below, they are sites in Ohio.

- i. Dayton Power & Light Company J.M. Stuart Station 745 US-52 Aberdeen, OH 45101
- Dayton Power & Light Company Killen Generating Station 15401 Ohio River Scenic Byway Manchester, OH 45144
- II. Description of the existing solid waste management facilities that serve the same described area These power plants are both being served by a privately owned on site disposal facility, however this facility is near capacity and will not be able to serve the future needs of these power plants.
- III. Description of the need that would be fulfilled by constructing the proposed facility, as follows:
 - a. For Facilities proposed in areas with approved district solid waste management plans, a description of the need identified in the district solid waste management plan required by IC 13-21-5.
 - Construction of the Tanners Creek Landfill has already been approved, there is approximately 1,000,000 cubic yards of air space left in the facility as already permitted. This is a request for a minor modification to use offsite waste from two specific power producing facilities in place of the waste that was forecasted to be generated by the Tanners Creek Power Plant prior to the plant closing. The two facilities that would be exclusively served by this arrangement are both located in Ohio and outside of the Indiana solid waste management districts.
 - b. For facilities proposed in areas without approved district solid waste management plans, a description of the need for the proposed area to be served. The Tanners Creek Type I Landfill will serve two Dayton Power and Energy power plants, located in Ohio. These plants have used nearly all of their available waste disposal volume and need to send the gypsum waste offsite.
- IV. Description of the recycling, composting, or other activities which the facility would operate within the proposed are of service.
 - The facility would continue to operate as a Type I landfill, disposing of coal combustion byproducts from power generation facilities.
- V. Description of the additional disposal capacity which the facility, if permitted, would provide for the proposed area of service.
 - The facility is already permitted to take an approximately 1,000,000 more cubic yards of coal combustion byproducts under the existing permit. The facility is not seeking an expansion.



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Office of Land Quality Permits Branch 100 N. Senate Ave. Indianapolis, IN 46204-2251

INSTRUCTIONS

This form shall be used to submit the good character disclosure statement required by IC 13-19-4 for obtaining a solid waste facility permit or a hazardous waste treatment, storage, or disposal facility permit, except in the following cases: 1) renewals 2) when an applicant's solid waste facility does not process or dispose, for commercial purposes, solid waste generated offsite 3) government facilities 4) when an applicant has a permit for and has continuously operated a transfer station, solid waste disposal facility, or hazardous waste facility in Indiana after December 31, 2004, and is applying for either a permit for a new transfer station or the transfer of a transfer station permit, or 5) when an applicant has a permit for and has continuously operated a solid waste disposal facility or hazardous waste facility in Indiana after December 31, 2004, and is applying for the transfer of a permit for a solid waste disposal facility. However, in the case of 4) and 5), a disclosure statement is still required when there is a change of ownership of a least fifty percent (50%) ownership control of the entity that holds a permit. When completed, please return this form and support documents to the address given in the box above.

Section A. Facility Information				
Facility Name Tanners Creek P	lant			
Mailing Address: 800 AEP Drive	Street	Apt. #	P.O. Box	Town/City Lawrenceburg
State IN	ZIP 47025			
This statement is	for (check appropriate box):			
	a new permit		a permit transfer	
	a permit modification			
		ection B. Applicant In		学学校学生的意思 。
permit described i	v be an individual, a corporation, a partr n IC 13-15-1-3. Each applicant shall co			issuance, transfer, or major modification of a ges as necessary.
Applicant Name Tanners Creek D				
Business Address 1650 Des Peres F			Apt. #	
Town/City St. Louis		State MO		ZIP 63131
	Section	on C. Responsible Par	ty Information	· · · · · · · · · · · · · · · · · · ·
A responsible party may be an officer, a corporation director, or a senior management official of a corporation, partnership, or business association that is an applicant. A responsible party may also be an individual, a corporation, a partnership, or a business association that owns, directly or indirectly, at least a twenty percent (20%) interest in the applicant. Each responsible party shall complete the following information; attach additional pages as necessary.				
Responsible Par Tanners Creek D	evelopment LLC			
Business Address 1650 Des Peres I			Apt. #	W WARF BURNESS
Town/City St. Louis		State MO		ZIP 63131
Relationship to Ap	oplicant Owner			
Responsible Par	ty Name			
Business Address	: Street		Apt.#	P.O. Box
Town/City		State		ZIP
Relationship to Applicant				
Responsible Par	ty Name			
Business Address	Street Street		Apt. #	P.O. Box
Town/City		State		ZIP
Relationship to Applicant				
Responsible Party Name				
Business Address	Street		Apt. #	P.O. Box
Town/City		State		ZIP
Relationship to Ap	pplicant			

Section C. Responsible Party Information (continued) A responsible party may be an officer, a corporation director, or a senior management official of a corporation, partnership, or business association that is an applicant. A responsible party may also be an individual, a corporation, a partnership, or a business association that owns, directly or indirectly, at least a twenty percent (20%) interest in the applicant. Each responsible party shall complete the following information; attach additional pages as necessary. Responsible Party Name Business Address: Street Apt.# P.O. Box Town/City ZIP State Relationship to Applicant Responsible Party Name Apt.# **Business Address:** Street P.O. Box Town/City ZIP State Relationship to Applicant Responsible Party Name Business Address: Street P.O. Box Apt.# Town/City ZIP State Relationship to Applicant Responsible Party Name Business Address: Street Apt. # P.O. Box Town/City State ZIP Relationship to Applicant Responsible Party Name Business Address: Street P.O. Box Apt.# Town/City ZIP State Relationship to Applicant Responsible Party Name Business Address: Street P.O. Box Apt.# Town/City ZIP State Relationship to Applicant Responsible Party Name Business Address: Street Apt.# P.O. Box Town/City ZIP State Relationship to Applicant Responsible Party Name Business Address: Street Apt.# P.O. Box Town/City ZIP State Relationship to Applicant Responsible Party Name Business Address: Street P.O. Box Apt. # Town/City ZIP State Relationship to Applicant

Section D. Disclosure Statement

Each Applicant and Responsible Party identified in Sections B and C shall complete a separate Section D and Section E. The Section D requirement may be satisfied by providing all information required by either Section D1 or Section D2, but not both. Please indicate that the required item has been provided or does not apply by initialing either the "Not Applicable" or "Provided" space. If "Not Applicable" is selected, please provide an explanation describing why. Please note: complete only Section D2 if the following applies: 1. the information is being provided for an individual, not a business entity, or 2. the information is being provided for a change in ownership control of an entity that holds a permit subject to IC 13-19-4-8,

THIS DISCLOSURE STATEMENT IS PROVIDED FOR:				
Name (print or type) Michael Roberts. Vice President of applicant				
Acting as	(check one): ⊠	Applicant	☐ Responsible Party	
SECTION	N D1			
A)	The information concerning leading and that the applicant of the Not Applicable	egal proceedings that is requi r responsible party has report Provided	uired under Section 13 or 15 (d) of the Securities Exchange Act of 1934 (15 U.S.C. 78a et rted under Form 10-K. applicant not Publich tracked, not a corporation	
В)	A description of all judgments violation of any state or feder	s that have been entered aga ral environmental protection la	ainst the applicant or responsible party in a civil or administrative complaint for the law and that have imposed upon the applicant or responsible party a fine or penalty of years before the date of the submission of the application.	
	Not Applicable	Provided	_ no judgennets, no violations	
C)	environmental protection law	within five (5) years before the	nst the applicant or responsible party for the violation of any state or federal the date of submission of the application.	
	Not Applicable	Provided	_ no Judgements of conviction	
SECTION				
A)	A description of the applicant the name and business addremployed.	t's or responsible party's expe ess for employers, the State I	perience in managing the type of waste that will be managed under the Permit. Include Permit number for the facility, the type of work experience and the length of time	
	Not Applicable	Provided		
B)		that have resulted in a fine o	nst the applicant or responsible party for the violation of any state or federal or penalty of more than ten thousand dollars (\$10,000) within five (5) years before the	
	Not Applicable	Provided		
C)	protection law that allege an		st the operator or responsible party for the violation of any state or federal environmental ites a material violation of state or federal environmental protection law and that th or the environment.	
	Not Applicable	Provided		
D)			the violation of any state or federal environmental protection law that have been filed years before the date of submission of the application.	
	Not Applicable	Provided		
E)	A description of all judgment submission of the application	s of criminal conviction entere า for the violation of any state	red against the applicant or responsible party within five (5) years before the date of e or federal environmental law.	
	Not Applicable	Provided		
F)			felony constituting a crime of moral turpitude under the laws of any state or the United ble party within five (5) years before the date of submission of the application.	
	Not Applicable	Provided		
G)			onsible party manages the type of waste that would be managed under the permit to usiness address, any permit numbers and the type of facility.	
	Not Applicable	Provided		
H)		I be used by IDEM to comple arty is determined to be nece	ete a Request for Limited Criminal History Information if additional information concerning essary.	
	Date of birth		Sex Race	

E .		
SECTION E SIGNATORIES		
I affirm that all information contained in this disclosure statement any information provided in this disclosure statement that was kr	and any attachments is, to the best of my knowledge, nowingly incorrect may subject me to the penalty for pe	true and accurate. I also realize that erjury under IC 35-44-2-1.
Applicant/Responsible Party Name (printed or typed) Michael Roberts	Applicant/Responsible/Party Signature	Date 5-4-17
ACKNOWLEDGMENT		
State of Missouki) County of St. Louis)		1
	ud in a	10 Ents
Before me, the undersigned, a Notary Public in and for said Cour person who executed the foregoing instrument, signed the same deed and that the statements made in the foregoing instrument a	and acknowledged to me that he/she did so sign the	Anown by me to be the same, and that his/her free act and
IN WITNESS WHEREOF, I have set my hand and official seal th	is day of	<u>7</u> .
I am a resident ofCounty,	Missoure (
Notary Public Jebella Sy	Row	
My Commission Expires: //-/-/7		
REBECCA LYDON My Commission Expires Normany SEAL SEAL Commission #13540330		

32"

Tanners Creek Plant Type I Restricted Waste Landfill

Operating Hours: 7am-7pm Sun-Sat CLOSED TO THE PUBLIC

Type I Landfill; Solid Waste Permit #FP 15-12



SOLID WASTE FACILITY PERMIT APPLICATION AND REGISTRATION FEE TRANSMITTAL

State Form 47215 (R6 / 4-15)
Approved by State Board of Accounts, 2015
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PO Box 3295 Indianapolis, IN 46206-3295

INSTRUCTIONS

You must use this form to transmit application fees for solid waste management facility permit applications and waste tire registrations. The current fees are established at IC 13-20-21-2 through 13-20-21-3. Please make your check or money order payable to the "Indiana Department of Environmental Management." You must submit this fee transmittal form and appropriate fees to the address given in the box above. **DO NOT SUBMIT** this fee transmittal form and payment with your permit application or registration. You must, however, submit a **COPY** of your check or money order and a **COPY** of this fee transmittal form with your permit application or registration.

	SECTION A. APPLICANT(S) INFORMATION			
Name Michael Roberts					
Mailing Address: Street Apartment nu 1650 Des Peres Rd 303			umber P.O. Box Town/City St. Louis		
State ZIP Code 63131	Telephone N 314 835 287	Telephone Number (with area code)			
Name and County of Facility Tanners Creek Type I Landfill	,	-			
	SECTION B. SOLID WASTE PE	RMIT FEE SCHEDULE			
Please check below the appropriate fe					
	Permit Application for New Sites and Major Modifications	Renewal	Minor Modifications		
Permit Applications					
Municipal Solid Waste Landfill	\$31,300	\$15,350	\$2,500		
Non-municipal Solid Waste Landfill	□ \$31,300	\$15,350	□ \$2,500		
Processing Facility					
Transfer Station	□ \$12,150	\$2,200	\$2,500		
Other Processing	Other Processing \$12,150		\$2,500		
ncinerators \$\Begin{array}{c} \$28,650 \end{array}\$		\$5,900	□ \$2,500		
Restricted Waste Site Type I	□ \$31,300	\$15,350	፟ \$2,500		
Restricted Waste Site Type II	□ \$31,300	□ \$15,350	□ \$2,500		
Restricted Waste Site Type III	□ \$20,000	□ \$7,150	\$2,500		
Construction/Demolition Site	□ \$20,000	□ \$7,150	□ \$2,500		
Registrations					
Waste Tire Storage	\$500				
Waste Tire Processing (cutting, shredding, etc.)					
Waste Tire Transportation	□ \$25				